IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 36747 of 2007(Y)

PETITIONER:

M.E.POLYMERS,
KINFRA SMALL INDUSTRIES PARK, NELLADU,
MOOVATTUPUZHA, REPRESENTED BY ITS
MANAGING DIRECTOR, P.O.SHAMEEMA.

BY ADV. SRI.T.I.ABDUL SALAM

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD,
VYDHYUTHIBHAVAN, THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY.

2. SPECIAL OFFICER,(REVENUE),
KERALA STATE ELECTRICITY BOARD,
VYDHYUTHIBHAVAN, THIRUVANANTHAPURAM.

3. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, VALAYANCHIRANGARA,
MOOVATTUPUZHA.

BY ADV. SRI.P.P.THAJUDEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.36747 of 2007

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Dated this the 12th day of December, 2007.

JUDGMENT

Heard counsel for the petitioner and Standing Counsel for KSEB. The petitioner has committed default in payment of regular electricity bills. Therefore, KSEB has issued Ext.P5 threatening disconnection. Even though KSEB will be justified in disconnecting supply for non-payment of electricity bills, I feel one opportunity can be granted to the petitioner to clear the arrears and to start paying regular electricity bills on due dates. Counsel for the petitioner stated that one bill paid by the petitioner vide Ext.P2 is not credited. Standing Counsel submitted that if petitioner produces receipt before the second respondent, he will verify the credits given and if there is any short-credit, it will be made up. The W.P. is accordingly disposed of directing the third respondent not to disconnect supply on the following conditions. The petitioner will clear the balance arrears with surcharge at the applicable rate in four equal monthly instalments, first of which will be paid on or before 10.1.2008 and the balance on or before the 10th day of three succeeding months. Besides this, petitioner will pay regular monthly bills on due dates.

2. If petitioner commits default in payment of any of the arrear instalments or regular monthly bills, then third respondent will proceed to disconnect supply and recover the arrears. If there is any short-credit for payments made, petitioner can produce details of the same before the second respondent for giving credit for full payment and to raise demand for balance arrears with surcharge which should be done within a period of one week from the date of production of copy of this judgment.

C.N.RAMACHANDRAN NAIR
Judge

pms